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Victor J. Izzo
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

2 April 2009

Re: Draft Cleanup and Abatement Order, Central, Cherry Hill, Empire, Manzanita, and West End Mines, Colusa County

Mr Izzo:

American Land Conservancy (ALC) is in receipt of the above-referenced draft cleanup and abatement order (CAO). In that letter, ALC is identified "as a known landowner, operator, or leaseholder" of the mines specified in the CAO. On behalf of ALC, I am submitting this letter in response.

Firstly, your letter identifies ALC as having an interest in one or all of the mines listed in the subject line above. However, the CAO that was attached to that letter was only for the "Wide Awake Mine," and ALC is not identified in that CAO. ALC has no documentation indicating that it has any property interests in the Wide Awake Mine.

Secondly, ALC is not a landowner of any of the mines listed in the subject line above. ALC holds only a non-possessory conservation easement interest in the Manzanita Mine, under the authority of California Civil Code Section 815 *et seq.*, and is therefore not a "landowner, operator, or leaseholder of the Mines." As such, ALC bears no liability for any remediation that may be required or undertaken by the Regional Board. ALC does not appear to have any property interest in any other mine listed in the CAO.

I am requesting that ALC be removed from the list of landowners, operators, or leaseholders of the "Draft Cleanup and Abatement Order, Central, Cherry Hill, Empire, Manzanita, and West End Mines, Colusa County."

Thank you,

Kerry O'Toole
President